

INTERDEPARTMENTAL COMMUNICATION

Acton Board of Health - Telephone 978-264-9634 - Fax 978-264-9630

November 6, 2006

TO: Don Johnson, Town Manager

FROM: Doug Halley, Health Director

SUBJECT: Communitywide Archaeology Reconnaissance Survey Proposal

At the last Selectmen's meeting a question was raised regarding the purpose of the Communitywide Archaeology Reconnaissance Survey Proposal. The proposal has two final products; an Archaeological Sensitivity Map and Guide, and an Archaeological Reconnaissance Report and Management Recommendations. The purpose of these two products is to give the Town the tools and guidance necessary to implement an archaeological overlay zone to protect areas of town that may have archaeological resources.

The survey will focus not on identifying particular historic structures or sites but on areas of historic habitation. These areas will be identified by putting together historic records, people's recollections, contour maps, sources of water, etc. Once the Sensitivity Map and explanatory guide are completed the consultant will make management recommendations that might include an archaeological overlay zone under the zoning bylaw or a regulation within the Site Plan approval by the Selectmen.

With this memo I have attached zoning ordinances from Alexandria Virginia and Scottsdale Arizona to give the Selectmen some background as to the potential extent of zoning bylaws. Their intent is to control large scale developments and not to impact single family homes. Ultimately that control would not be a denial of a project but a requirement for an archaeological investigation within a sensitivity zone and an archaeological recovery effort when deemed appropriate.

As we have found during the Pine Hawk Recovery the Town potentially has a wealth of archaeological materials that are undefined and untapped. A 7,000 year history of the community waits to be either discovered or permanently lost. Having talked extensively within the community about the Pine Hawk Archaeology Site and also having witnessed the strong interest in Acton's colonial history I believe there is strong support to further protect Acton's past.



Zoning Ordinance

The Zoning Ordinance of the City of Alexandria, Virginia Section 11-411: Archaeology Protection

Adopted June 24, 1992

(A) Archaeological resource areas.

A preliminary site plan which includes land designated as a potential resource area on the City of Alexandria Archaeological Resource Map, shall include reasonable archaeological evaluation reports and resource management plans when required under this section 11-411. The archaeological resource map, which is on file in the office of the director of historic Alexandria and the office of the city archaeologist is hereby made a part of this ordinance.

(B) Application.

This section 11-411 shall apply to all applications for preliminary or combined site plan or other development approval, otherwise subject to its provisions, which are filed subsequent to September 16, 1989.

(C) Administration.

This section 11-411 shall be administered by the director of the office of historic Alexandria who may adopt reasonable procedures for its administration, consistent with applicable law.

(D) Preliminary archaeological assessment.

Prior to filing an application for approval of a preliminary site plan to which this section 11-411 applies, the applicant shall confer with the director of the office of historic Alexandria in order for the director to conduct a preliminary assessment of the potential archaeological significance of any site plan area designated on the map, and of the impact of any proposed ground disturbing activities on such area. The applicant shall provide full and accurate information as to all ground disturbing activities proposed to be conducted on the site.

(E) Criteria for preliminary assessment.

Such preliminary archaeological assessment shall be based upon the following criteria, and shall be conducted consistent with professionally recognized standards for archaeological site evaluation:

(1) *Research value.* The extent to which the archaeological data that might be contained on the property would contribute to the expansion of knowledge.

(2) *Rarity.* The degree of uniqueness the property's resources possess and their potential for providing archaeological information about a person, structure, event or historical process, for which there are very few examples in Alexandria.

(3) *Public Value.* The level of importance the property has to the community as a location associated with a significant person, structure, event or historical process.

(4) *Site integrity.* The extent to which soil stratigraphy and original placement and condition of archaeological resources on the property have not been disturbed or altered in a manner which appreciably reduces their research or public value.

(5) *Presence of materials.* The extent to which archaeological resources or evidence of historic structures are present on the property.

(6) *Impact on resources.* The extent to which any proposed ground disturbing activities will alter or destroy resources which the director has determined to have substantial archaeological significance under sections 11-411(E)(1) through (5) above.

(F) *Finding of archaeological significance.*

(1) If, at the conclusion of the preliminary archaeological assessment, the director of the office of historic Alexandria determines either that the site plan area has no substantial archaeological significance, or that the proposed construction or development will not have a substantial adverse impact on any known or potential archaeological resources, the director of the office of historic Alexandria shall so certify to the planning commission, and no further review under this section 11-411 shall be required.

(2) If, at the conclusion of the preliminary archaeological assessment, the director of the office of historic Alexandria determines that the site plan area has potential archaeological significance, and that the proposed development will have a substantial adverse impact on any known or potential archaeological resources, the applicant shall submit an archaeological evaluation report and a resource management plan as part of the preliminary site plan application.

(3) The director of the office of historic Alexandria shall render a determination in writing, within seven working days after receiving the information, unless written consent to extend such period is given by the applicant.

(G) *Archaeological evaluation report and resource management plan.*

(1) When required under the provisions of this section 11-411, the applicant shall submit as part of the preliminary site plan application an archaeological evaluation report and a resource management plan, prepared by a qualified archaeologist or historian in conformity with professionally recognized standards for cultural resource management. The applicant or the authorized agent thereof shall confer with the director of the office of historic Alexandria prior to preparing any submission to define and agree upon guidelines for such report and plan.

(2) Such archaeological evaluation report shall include detailed evaluation of the archaeological significance of the site plan area, including but not limited to reasonable measures for historic research, archaeological surveys and test excavations.

(3) Such resource management plan shall include reasonable measures for the study and preservation of archaeological resources found within the site plan area, including but not limited to test and full-scale excavations, site construction monitoring, field recording, photography laboratory analysis, conservation of organic and metal artifacts, curation of the collection (e.g., artifacts, notes, photographs) and preparation of reports.

(4) Such resource management plan may, and if required by the planning commission or city council shall, also provide reasonable measures for further archaeological study, restoration, reconstruction, disposition of recovered artifacts to an appropriate public or private collection or museum, and *in situ* preservation of archaeological resources found within the site plan area.

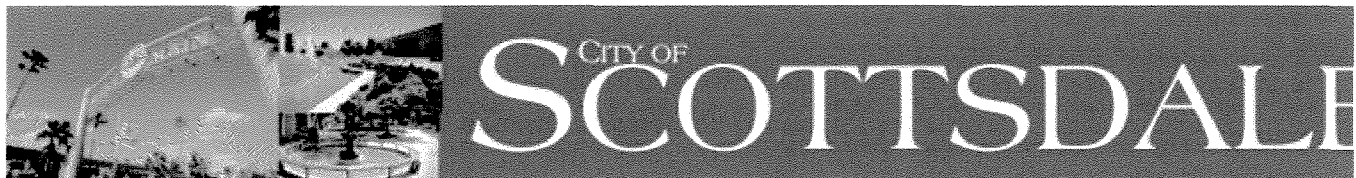
(H) *Review of archaeological evaluation report and resource management plan.*

(1) The archaeological evaluation report and resource management plan shall be reviewed and approved, disapproved or approved with modifications or conditions or both as part of the site plan review process.

(2) In the event a site plan application and review is required exclusively on account of ground disturbing activities not otherwise subject to such application and review, then and in such an event, notwithstanding any other provisions of this ordinance, the required site plan application and review shall be limited to the purposes and requirements of this section 11-411, and the application fee shall be as prescribed pursuant to section 11-104.



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Historic Preservation Program

Archaeology Requirements for Development Projects Within Master Planned Developments or Larger Project Areas that have a Previous Archaeological Survey

PURPOSE: Since some master planned and other projects in Scottsdale completed archaeology surveys as an ESL requirement prior to August 1991, the archaeology survey reports were not reviewed according to current ordinance standards and there is no signed Certificate of No Effect. Therefore this review process was developed to ensure ordinance compliance for new applications on land within larger developments.

SCOPE OF PROCEDURE: The intent of this process is to review development project applications that are within larger approved project areas for their compliance with the city's archaeology ordinance requirements. The procedure applies to projects on land within larger projects that have previously submitted an archaeology survey to the City of Scottsdale to meet local requirements. The procedures apply to: 1. Rezoning, use permits and development review board (DRB) applications, including plats, within master planned developments, and 2. Development applications for pads or parcels within a larger property (20 acres or larger property).

SUBMITTAL REQUIREMENTS: Applicants for projects on land that is part of a larger project should submit map(s) and text with their application submittal as follows:

1. Proof that an archaeology report was previously submitted and/or approved (Submit a copy of the prior report or a copy of the approved Certificate of No Effect)
2. Map showing the current project location within the total land area covered by the prior archaeology report.
3. Map clearly identifying within the current project area any significant or potentially significant surveyed sites and any recorded archaeological sites with their AZSite or other reference number.
4. If there are significant, potentially significant or recorded sites within the project area, a narrative describing how the recorded site(s) will be impacted by the proposed development and describing any measures that will be taken to protect the site(s), such as placing the site in an Natural Area Open Space (NAOS) or conservation easement.

CITY REVIEW OF SUBMITTAL: The Preservation Division is responsible for managing the archaeology review process. The purpose of the review will be to determine the following:

1. Where the current project is located within the larger project land area and if there are any recorded sites on the development parcel.
2. What measures are proposed to protect any sites on the development parcel and whether the proposed measures are adequate to satisfy ordinance requirements.
3. If a significant recorded site will be impacted by the project, are a Mitigation Plan and a Certificate of Approval now required to comply with the ordinance?

Note: A Mitigation Plan or any additional work will not be required if the larger project area already has an approved Certificate of No Effect.

The applicant can satisfy the archaeology requirements if the larger area has a Certificate of No Effect, if there are no recorded sites located on the project and if there are no impacts from the project on archaeological resources. If the protection measures

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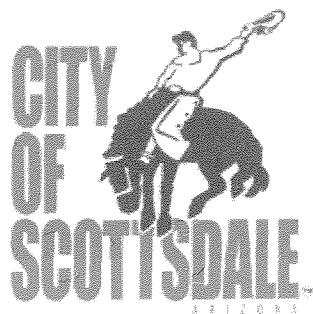
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proposed are inadequate and/or the project will have an impact on significant or potentially significant archaeological resources, the applicant will be asked for additional information and will generally be asked to prepare and implement a Mitigation Plan to meet the archaeology requirements that took effect in August 1991.



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